

SB 1535 (KUEHL)
PROTECT CALIFORNIA'S FISH AND WILDLIFE LEGACY

The Problem:

The Department of Fish and Game (DFG) and the Fish and Game Commission (FGC) manage California's diverse fish, wildlife, and plant resources for public use and enjoyment and for their ecological values. These agencies protect public trust resources through education, the regulation of fishing and hunting, the management of our commercial and recreational fisheries, the conservation of fish and wildlife (including the one-third of California's species that are at-risk), through scientific research for the benefit of fish and wildlife, and through management of more than 850,000 acres of ecological reserves, wildlife management areas, hatcheries, and public access areas.

Unfortunately, however, DFG has historically suffered from a serious lack of funding. Since 2001, DFG has experienced a loss of more than 40% of its general fund revenue. There has also been a permanent loss of \$1.6 million of environmental license plate funds due to a decline in those revenues, and a serious decrease in federal funding.

What have been the effects of this funding shortfall?

Since 2001, the department has lost 414 positions -- more than 17% of its total staff -- for a total reduction relating to staffing in excess of \$24 million.

- DFG has lost 25% of its game wardens -- who are responsible for protecting fish and game resources from poaching and other illegal activities. These losses leave the department with a warden force equal to the one it had in the 1960s -- leaving many counties without any wardens at all.
- DFG is reviewing less than 20% -- and more likely it's closer to only 10% -- of the 8,000 - 13,000 CEQA documents it receives annually.
- A 2005 State Auditor's report has found that DFG spends more than it takes in. Since 2001, DFG has spent \$17 million of a \$24.6 million reserve. Soon the Department will have no reserve.
- Other problems with funding identified by the Legislative Analyst show that DFG is increasingly relying on the Fish and Game Preservation Fund -- the fund in which hunting and fishing fees are deposited -- to cover its non-game costs. In addition, the funding cutbacks have also resulted in DFG moving money around within the Preservation Fund to cover shortfalls.

The Solution:

While the search continues for long-term budget stability for this key department, a number of short-term steps are possible that will relieve the demands made on hunting and fishing permit fees.

SB 1535 would result in more transparency and confidence in DFG's funding/accounting structure. There needs to be a serious examination of the Department's accounting system so that

those hunting and fishing interests who pay fees and taxes to DFG are provided with a clear picture of the status of specific fish and game sub-accounts and where their funds are being spent.

In the absence of finding a permanent, larger funding source for DFG, the department must use its existing authority to impose fees that will cover the true costs of fee-funded programs, particularly the environmental filing fee (otherwise known as 3158 fees). In addition, DFG must look to generate new revenues for the Department.

SB 1535 will take a first step by providing important reforms for both DFG and the FGC:

Fish and Game Commission reforms:

- SB 1535 would permit the Commission to employ a staff.
- SB 1535 would require the Commission to adopt a conflicts of interest code similar to other state commissions.
- SB 1535 would also give the Commission more flexibility in where and when it holds Commission meetings.

Department of Fish and Game reforms:

- SB 1535 would provide direction to the Department for its non-game responsibilities by directing the department to implement the CA Wildlife Conservation Strategy.
- SB 1535 would make clearer findings regarding the failure to fund DFG activities, particularly non-game activities. These findings also direct the department to identify new funding sources, and specifically state that user fees are not sufficient to fund all of the department's mandates.
- SB 1535 would direct DFG to provide, with its annual budget, a fund condition report for all of the sub-accounts within the Preservation Fund, and update its cost-allocation plan.
- SB 1535 would update the environmental filing fees by closing a loophole in collecting these fees and increases the fees for the first time since 1991.
- SB 1535 makes findings regarding revising the commercial fishing landing fees.

Sponsors:

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